CITIZEN EMPOWERMENT

A PAPER TO OPEN PUBLIC DEBATE

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Graphic designs: *Propage*

Cover photo: The Parliament Building – Québec
Les photographes KEDL

Legal deposit – 2002
Bibliothèque nationale du Québec
ISBN 2-550-39489-5
Gouvernement du Québec

Presentation

by the Minister responsible for the Reform of Democratic Institutions

Fellow Québecers

The government has undertaken a major task: that of reforming its democratic institutions.

Why enter into this type of exercise, one that could result in major changes to our democratic system and the institutions that guide it? Our political system, in effect for 150 years now, has proven its effectiveness and its stability. For instance, it has allowed us to hold debates that are fundamental to our political future with complete transparency and freedom.

This effectiveness and stability does not mean, however, that our institutions cannot be improved upon. Our political system and some of its procedures and practices have given rise to many important questions that we must endeavour to answer.

Some of these questions are linked to the role of women and young people in politics, to guarantees surrounding the voting process as well as to the limits of strictly representative democracy. Questions have also arisen regarding the role of the regions in our democratic system and the participation of the First Nations in the governance of our national state. Changes are sought to the voting system we inherited from the British system, or to the political system itself, based on a theory and a practice specific to the roles of the government and parliament.

These are matters that must be discussed openly, precisely because we live in a democracy. One of the government's priorities is to strengthen our democratic apparatus, and the time has come to give serious consideration to methods for further improving our system, in order to better meet the challenges facing us.

During the exercise we are about to undertake, we must, above all, be true to ourselves. Through its institutions and democratic apparatus, Québec has an opportunity to fully convey the values it cherishes—values such as liberty and equality, to be sure, but also tolerance, openness and responsible citizen involvement. We would be well advised to study inspiring foreign models, even though they stand in sharp contrast to the traditions we inherited. Through its political institutions, Québec can affirm its difference as regards the rest of Canada, and its profound commitment to democracy and to citizen involvement in State governance.

The government of Québec hopes that once this major study has been completed, we will have identified solutions that will put more power into the hands of the people. The dialog opened by the government presents us with a unique opportunity to make of Québec "a unique model in the world of democratic governance," as Premier Bernard Landry expressed it.

This undertaking may help Québec resolve some of the serious problems facing it, and many other democratic societies as well. Here in Québec, as elsewhere, we note a growing divide between representatives and their constituents, and between elected officials and citizens. The mistrust directed at political leaders and the reduced sense of responsibility are becoming a real source of concern, along with the unfair, but oft shared, belief that politicians do not really care about the population, but are primarily motivated by their own self-interest.

This sense of frustration and disillusionment felt by a large sector of the population is accompanied by an increasingly worrisome lessening of civic responsibility. The crisis in citizenship leads individuals and special interest groups to overload the system with requests, with little regard for its capacity to handle them, nor concern for how their own requests impact on the needs of others.

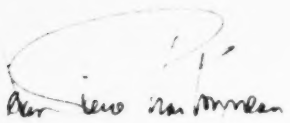
The dilemma posed by the gulf separating the people from those who represent them, and by their general apathy towards the governance of their communities is not solely explained by the nature of democratic institutions, although they do share some responsibility for current difficulties.

The government is aware of the scope of the questions at issue, and of the seriousness of the debate being launched. However, the dialog on our democratic institutions must be approached with a full overview of all the questions under consideration.

Several of these questions are interrelated: it is difficult to discuss the voting system without referring to the political system. The role of the regions or First Nations also has a bearing on the system in place and on the electoral process.

The government naturally realizes that it would be highly unwise to subject our democratic institutions to a hasty, precipitous overhaul. We must take sufficient time to reflect on the political system and institutions that best reflect our needs.

Beyond partisan differences, the study we are about to launch speaks to the very foundations of our democratic way of life, and is therefore of concern to all Québecers. It will tackle questions essential to our society, and must result in an institutional framework that best mirrors our values, our requirements and our vision of what democracy must be.



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SUMMARY

Québec democracy is among the oldest of the industrialized nations. Descended directly from the British parliamentary tradition, it has demonstrated its vitality and creativity by integrating original components that speak to our nation's values and understanding of community life in our nation.

This democracy, deeply rooted in our traditions, may yet be improved upon. The government is entering into very broad discussions with the people with the objective of strengthening our political institutions to ensure that they are more in keeping with our common vision of democracy.

The political system:
British model or American model?

Our political system is directly inspired by the **democratic tradition established in Great Britain**. It is characterized by a symbiosis of the executive and legislative branches of government and is primarily based on ministerial responsibility, that is, the responsibility of the government to the assembly of the people's representatives.

In Québec, as in the other democracies living within a British parliamentary system, we observe a strengthening of the government at the expense of the parliament. This strengthening guarantees the government a stable and permanent majority. However, it gives rise to questions about the actual power the MNAs enjoy to monitor government management or to have any meaningful influence on the government's political decisions.

An alternative to the British model that we use would be to replace the existing system with a presidential-type system based on the American model. A presidential regime is characterized by a clear separation of executive and legislative power. Both the chief executive and the parliament are elected by direct universal suffrage. There is no ministerial responsibility. Neither the chief executive nor the ministers of his government represent constituencies; they cannot sit in the parliament. The date of elections is fixed. The absence of a party line means that real control of government activities is greatly increased.

Nothing prevents Québec, even under the current electoral system, from replacing the British parliamentary system with a presidential system.

- People who favour a strong government will lean towards a system like the one we have now, because of the power it confers on the government elected by a majority.

- On the other hand, people who place greater importance on the real scope of action wielded by the representatives of the people will be inclined to choose a presidential regime.

The electoral system: majority or proportional representation?

Québec, like Canada as a whole, uses the **single, majority ballot** system, direct from the British tradition. This system results in a majority government, which is essential in a British-type parliamentary system. The difficulty lies in the risk of going too far with this bonus for the majority, and thereby infringing on the rights of the minority or minorities.

At the other extreme of the range of electoral systems we might consider is **fully proportional representation**, which faithfully and completely reflects the distribution of votes. It reflects the opinions of the people in all their complexity and diversity. However, if applied in a British-type system, proportional representation makes it more difficult to form a majority government; rather, it tends to produce coalition governments.

Very few democracies use either of these two systems in its pure form, without any amendments. A whole range of **intermediary solutions** exists, whose impacts depend on the political system in effect.

The choice of an electoral system, whichever it may be, has very important consequences on the democratic process. It creates a certain dynamic in the lives of political parties and bears a direct influence on the scope, if not the direction, of election results.

A centralized system, or power in the hands of the regions?

Over the past twenty-five years, important efforts have been made in Québec to distribute power to the regions based on decentralized structures. However, the question of the place of the regions in government is still open, based on the demands presented by regional populations.

- Can **representation of the regions** be institutionalized in our political system? We might go a long way in this direction. A House of Regions within the National Assembly could give the more remote and less populated regions a weight that they do not currently enjoy in our institutions.

- Should we go even further and create truly **regional powers**? We might create truly regional authorities, democratically elected and with effective areas of jurisdiction that would no

longer be handled by the central government. Once the territorial framework was defined, we might imagine the creation of regional assemblies, elected by universal suffrage, with a certain number of powers—along with the financial resources to exercise them.

The First Nations: Cohabitation or an Institutional Partnership?

Over the past twenty years much progress has been achieved in Québec in the establishment of harmonious relations with the First Nations. One weakness remains, however: the First Nations do not participate effectively in the governing of Québec. The great majority of native peoples still question what interest they would have in actively participating in the election of members to the National Assembly, even though they are fully entitled to do so.

The government feels that the time has come to examine the question of offering the First Nations the possibility of effectively participating in the governing of Québec, along with the establishment of special institutions to meet their needs and specific circumstances.

Many options might be considered, including the creation of a second house of parliament that would represent the regions, the creation of a First Nations Council or direct, adapted participation by the First Nations in the National Assembly.

Whatever path may be chosen, it is time to create better conditions for dialogue, sharing and cohabitation between the province of Québec and the native peoples, and this debate that the government is launching gives us an opportunity to do that.

Representative democracy or participatory democracy?

Some democracies have introduced, in their institutions, certain elements, of greater or lesser importance, of participatory democracy, that is, processes whereby the citizens can directly express their preferences and choices, without intermediaries. In Québec, some elements of participatory democracy are already well established in our institutions.

Several possibilities exist for broadening the scope of direct consultation and according it a larger role in our democratic system.

- We might call for the mandatory use of referendums or authorize the possibility of referendums triggered by a parliamentary initiative or a public initiative.

- It would also be possible to authorize the holding of a referendum on issues other than sovereignty simultaneously

with a general election, provided there were a successful conciliation of the rules governing referendum campaigns with the very strict conditions pertaining to how election campaigns must be conducted.

Aside from referendums, there is another way to introduce a little more participatory democracy into our political system, by offering all citizens a means to monitor the quality of our democratic process. To that end, Québec could have a **citizens council** that could act as a democracy watchdog by holding regular consultation forums on ways to improve our institutions.

Meeting new expectations

The evolution of our society and its values gives rise to new expectations with respect to democracy. It might be possible to reflect them better by adapting or changing our electoral process.

Elections at predetermined dates

Under the British parliamentary system, the election date depends primarily on the members' confidence in the government. In practice, in a system where the government can rely on a stable majority, the choice of an election date becomes the privilege of the government.

A requirement to hold elections on a fixed date would have the advantage of eliminating all aspects of strategy from the choice of the election calendar since the time for going to the polls would be known in advance by both the constituents and the elected representatives.

- If Québec keeps a British-type parliamentary system, a procedure would have to be developed for cases where the government loses parliament's confidence during its mandate.

- If Québec adopts a presidential system, fixed-date elections will be automatic, since the legislature cannot remove the president from office, and the president does not have the authority to dissolve the assembly, due to the fact that both powers receive their authority directly from the people.

Limiting the terms of office

In the British parliamentary system, there is no limit to the number of terms that a prime minister can seek from the people, and therefore no restriction on the length of time that the chief executive can hold office.

In the presidential system, such limits generally do exist. Québec could very well impose a limit on the number of terms that a Premier could seek, regardless of whether it keeps a British-type system or adopts a presidential regime.

Strengthening the integrity of the voting process

The integrity of the voting process is the cornerstone of the people's confidence in the democratic process as a whole. To ensure that only citizens who are entitled to vote actually do so, we must start by compiling an exhaustive and reliable list of electors. Next, the authorities in charge of the electoral process must be able to verify the identity of the citizen who is voting in order to ensure that it is the person whose name is indicated on the list.

In recent years, Québec has made considerable progress in improving the integrity of the voting process. It is now time to determine if it is possible to improve the electoral roll without imposing an overly severe control of voter identity, considering the improvements that are still possible.

Lowering the voting age to 16

Since 1963, the required age to be eligible to vote has been 18 years. The question now being asked is whether or not the voting age should be lowered to 16.

This issue brings us back to our vision of citizens' rights and responsibilities in our democracy. The issue of lowering the voting age means we must ask ourselves whether sixteen-year-olds now have the knowledge that since 1963 has been required of eighteen-year-olds.

More women in politics

Despite undeniable progress, it cannot be considered that women have fully assumed the role they are entitled to in our democracy. The world of politics continues to be male-dominated, with women being underrepresented. In a vigorous, healthy democracy, women should contribute fully to the debates and decision making, and more globally to the governing of society.

On this objective, a consensus should easily be reached. It is more difficult to define the means for achieving that objective. Some amendments and accommodations might be made with respect to the current democratic reality, in order for women to feel more comfortable in it and better prepared to defend within the system the values they believe in. Specific suggestions could be made to this effect.

The floor is open for discussion!

By initiating a public debate on our democratic institutions, the government has undertaken a major task. Our objectives are ambitious, which does not mean that everything must be accomplished all at once. A three-phase process has been developed:

- First of all, during the summer and fall of 2002, the Minister responsible for the Reform of Democratic Institutions will chair and lead a **tour throughout Québec**.

- Early in 2003, an **Estates General** will be organized around the theme of Québec democracy in the 21st century.

- The third step of the proposed process will ensue directly from the **election calendar**. The government, along with the various political parties, will adopt a position and the next election will give voters the opportunity to make a decision on the proposals relating to the model of government they prefer.

In this matter, which is fundamental to the future of our democracy, the government is fully assuming its leadership role. In the final analysis, however, it will be the people who decide. For the first time in Québec's history, the entire population will have the opportunity to participate in defining the model of democracy it wishes to have.

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INTRODUCTION

A REFORM OF OUR DEMOCRATIC INSTITUTIONS: WHY? FOR WHOM?

Democracy is government of the people, by the people and for the people.

Abraham Lincoln

The human adventure is not a solitary concern, it is a collective adventure, and democracy is both a challenging and fulfilling way for all members of society to participate in the overall process of government.

This involvement is built on a fundamental principal, that of popular sovereignty. Democracy is also based on a dual precept that we must never lose sight of: the citizens are the titleholders of the political institutions, and, in return, they assume responsibility for demonstrating solidarity and helping ensure the progress of all citizens.

A democracy is characterized by the existence of a State governed by the rule of law that respects and guarantees the rights of citizens and the people elect the government in free elections. While elections are based on majority rule, a democracy guarantees respect for minorities and opposition groups. A changeover of the individuals or parties in power is not theoretical but genuinely possible.

A precious commodity

Accordingly, democracy is also a very precious commodity that is coupled with rights and freedoms for the community. Democracy is also very fragile, since it is largely built on responsible, transparent involvement of the people in civic life, at all levels. Democracy is vulnerable and may be compromised or diverted by individual or collective abuse.

As such, democratic institutions must allow the people full involvement in state governance and protect them from any distortion

or dysfunction that might compromise the quality and nature of this involvement.

Québec democracy

Québec democracy is among the oldest of the industrialized nations. It is directly descended from the British parliamentary system, from which it borrowed its major characteristics. In 1992, Québec celebrated the bicentenary of its parliamentary institutions, thereby proudly marking the solidarity and entrenchment of the democratic traditions and practices, which characterize our national state.

Our institutions are therefore directly inspired by the political system that exists in Great Britain. Since the late seventies, under the impetus of René Levesque, Québec introduced operating rules that significantly reinforced the democratic character of its institutions, but it also provided them with certain specific characteristics, that in many cases were far removed from British tradition. They included successively *An Act to Govern the Financing of Political Parties;* the *Referendum Act. An Act Respecting Electoral Lists;* and *An Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information.* Major departments were created, such as the Auditor General and the Ombudsman.

With these changes, Québec democracy demonstrated its vitality, its creativity and its ability to integrate original components that speak to our nation's values and understanding of community life in our nation.

Questions

This long standing, democratic system, deeply rooted in our traditions can, however, be improved upon. The people have raised a number of questions about certain practices and procedures, and about basic elements of our political system. These questions, which form the basis of the numerous areas of discussion and reflection opened by the government may be grouped under six separate themes.

- They first address the **political system** itself. The British parliamentary system has undergone a number of changes that ultimately altered the initial balance that existed between the government and the parliament. These changes naturally provoke questions about the respective merits of parliamentarism, as it is currently practised, and those of a presidential system. **British or American model:** this is the first dialog the government would like to initiate.

- The second area of questioning raised by the government concerns the **voting system**. We currently have a majority voting system, with its strengths and its weaknesses. One of the major weaknesses concerns the difficulty of ensuring representation to

minority groups. **Majority or proportional**: this summarizes the second debate entered into by the government.

- A third area of questioning examines the participation of people from remote regions in our political process, and, on the **role of the regions** in our political system, their representation in central government bodies – and even their own powers. **Centralized system or regional power**: this issue will have major ramifications and should be the subject of intense civic debate – on the part of people living in remote regions and those in more central regions.

- Our relations with the **First Nations** have improved considerably in the past few years, particularly under the guidance of Premier Bernard Landry. A true partnership is being forged with several of these nations, which logically leads us to question First Nations participation in the governance of the Québec state. **Cohabitation or institutional partnership**: this is the debate that the government hopes to hold on this subject.

- The democracy we enjoy is primarily a **representative democracy**, to which we have grafted certain elements of **participatory democracy**. Representative democracy boasts major advantages, but is not without its flaws. **Representative or participatory democracy:** the government intends to study the usefulness of other elements of participatory democracy to help resolve some of our present problems.

- Naturally, Québécers have begun to challenge certain procedures inherent in our **democratic process**. This could give rise to new initiatives, whose relevance must be discussed, among others:

  - Should we have fixed election dates in order to ensure a certain degree of fair play in the electoral process?

  - Would it be preferable to limit the number of mandates granted to the head executive branch?

  - How can we improve upon the role of women in politics?

  - Should we increase the role of young people, by lowering the voting age to 16?

  - Can we boost the integrity of our voting process?

  These are all very serious considerations, which will give rise to specific discussions that the government also hopes to open.

The dialog opened by the government

The government is entering into very broad discussions with the people on many aspects of our democratic life, our institutions and our practices.

The government wants this to be a frank, open discussion. This document is designed to facilitate and systematize it, but not to limit it. The ultimate objective is to strengthen our political institutions, in order to ensure that they are more in keeping with our common vision of democracy.

1 – THE POLITICAL SYSTEM

The current situation

The function of a political system is to establish and maintain mechanisms to oversee relationships in society, and to ensure the organization and upkeep of the people's machinery of government, the State. Aside from the political forces operating at the social level of our political system (citizens, groups, media, political parties), the political system is comprised of four elements, which together make up what is known as the State: legislative power, executive power, the judiciary and the administration.

- Executive power, or the power to govern, is theoretically assumed by the Queen or her representative, the Lieutenant Governor in the case of Québec. In point of fact, this power is exercised by the government, led by the Premier.

- Legislative power is exercised by the parliament. In Québec, this is the National Assembly, which is made up of Members of the National Assembly (MNA) elected through direct, universal suffrage.

- Ministerial responsibility means that the government is responsible to the body of the people's representatives. The representatives must, as a majority, grant the government their support and confidence and it remains in power as long as they retain that confidence. If it is called into question on major issues, the government must resign. This ministerial responsibility also has a flip side: the Premier may dissolve the Assembly at any time, thereby provoking a new election.

The consequences

The British parliamentary system under which we live entails certain consequences as to the functioning of our institutions.

- The Premier is not directly elected as a premier. He is elected as the MNA of a constituency, and his appointment as Premier derives from his status as the leader of the party that won a majority of seats in the National Assembly.

- The government is the direct embodiment of the National Assembly. All the ministers were first elected as MNAs. Most importantly, they continue to sit in the National Assembly while carrying out their ministerial duties. Except in temporary

situations, the Premier may not invite an un-elected individual to sit in the assembly.

- Political debates take place in the National Assembly, in full session or in parliamentary committees. The daily question period is a direct illustration of the responsibility of the government, which is required to explain its actions to the MNAs.

Changes to the parliamentary system

In Québec, as in other democracies living within a British parliamentary system, the respective roles of the government and of the parliament have undergone significant changes.

- Theoretically, the British system is one in which the parliament is the very centre of power – which is why it is known as a parliamentary system. The parliament fulfills the legislative function and has direct, daily control of the government in its midst.

- In point of fact, the government has gradually increased its power at the expense of parliament. The government prepares and tables legislation and establishes and defends its budget, which are its main responsibilities. In current parliamentary practice, the government intervenes directly in the workings of the parliament, since it sets the agenda, controls parliamentary committees and even determines the National Assembly's budget.

  The Premier carries out normal executive functions, managing the affairs of State, for example. As leader of the majority party in the National Assembly, he dictates the party line and enjoys the permanent support of the majority of MNAs through strict party discipline.

  This majority status may not be altered except in the case of a minority government, that is, a government that does not have the support of the majority of members. This type of situation has never occurred in Québec since 1867.

- It is important to note that question period introduces a particular dynamic to democratic life. It was originally intended to provide elected members with an information period on government management. In practice, it creates a unique climate of debate and confrontation, which no doubt explains, in part, the negative perceptions people currently have of their politicians' behaviour.

The alternative

The increased power of the government at the expense of the National Assembly illustrates the problem of freedom of speech for MNAs, and, in fact, the very nature of representative democracy.

It gives rise to questions about the actual power the MNAs enjoy to monitor government management or to have any meaningful influence on the government's political decisions. Many citizens feel that, too frequently, the people's elected officials are marginalized, particularly when we consider the power that is concentrated in the hands of the government leader.

Two possible alternatives:

- Under the first approach, favoured by Québec since the Quiet Revolution, new rules were introduced to increase the power the National Assembly exercises over the government and to ensure that the members work more independently and effectively.

  As such, in Québec, the House Speaker is now chosen by secret ballot. Closure is no longer possible, since a bill may not be passed if it has not been the object of a minimum number of hours of work, in parliamentary committee and in the assembly. Similarly, night sessions were abandoned, since the government must respond to petitions from the people.

  Other improvements might also be considered: Ministers could be prevented from sitting on parliamentary committees. It might also be possible to increase the budgets of parliamentary committees, control confidence votes by introducing free votes, on a limited basis, or require the government leader to make an annual address to the nation.

- A second approach, considerably more radical, would be to replace the current British parliamentary system with a presidential system. Paradoxically the powers of the MNAs under a presidential system are greater than under a British parliamentary system, as it has evolved.

A presidential system

Unlike a British parliamentary system, a presidential system is characterized by a clear separation of executive and legislative power.

- Executive power is exercised by a President elected by direct universal suffrage. This President, who could continue to be known as Premier, appoints the ministers who make up his government.

- Legislative power is exercised by the parliament, made up of representatives who are also elected by direct universal suffrage, but during a vote separate from that in which the President is elected.

- There is no ministerial responsibility. The Premier and his government are not responsible to the parliament, which can therefore not overturn them. Similarly, the President does not have the power to dissolve parliament. Both political powers emanate directly from the popular will, which gives them their legitimacy. The parliament does not have the power to oust a President elected by the people, nor could the President dissolve a body whose legitimacy also derives from the people.

Ramifications of a presidential system

As regards the functioning of democratic institutions, a presidential system contains some elements that would result in significant changes to our current practices, were this type of system adopted by the Québec people.

- Neither the Premier nor his government ministers are MNAs, nor can they sit in parliament. In order to form his government, the Premier has several options: he may nominate MNAs who must then resign their seat and have themselves replaced by a substitute. He may also name to the government individuals from civil society, but outside the National Assembly.

- There is a fixed election date–both for electing the Premier and the MNAs. Both dates may coincide, as is the case in the United States.

- As in a British system, parliamentary debates are held in full session or in parliamentary committee. Parliamentary committees are however, much larger, and more powerful bodies. It is largely to them that government members must report on their administration. In the United States, legislative control is largely exercised in congressional committees and there is no question and answer period.

- The chief executive rarely appears before Congress. In the United States, he visits once a year to present his State of the Union Address. The Chief Executive reports on his actions directly to the people. It is his ministers who answer to the Congress on matters of government administration. However, were Québec to adopt a presidential system, nothing would prevent it from requiring the Premier to respond to questions from MNAs on a regular basis.

- In a presidential system, drafting and presenting bills is not the exclusive prerogative of the government. Elected members may also introduce major bills and have them passed, which is in fact the epitome of legislative power.

- The entire dynamic of parliamentary life is transformed by the absence of party line. Since the government cannot be ousted by the parliament, party line is meaningless. As a result, members enjoy considerably greater freedom of speech than under the British parliamentary system. Real control of government activities is therefore greatly transformed and increased.

- Another practical consideration explains how this control is exercised. Elected members cannot be ministers and all elected members play solely that role, which results in better, more effective distribution of parliamentary work. Conversely, the ministers are able to concentrate on their work within the government, and are not subject to any of the constraints imposed on the elected members.

An option, even under the present Federal system

Nothing prevents Quebec, even under the current Federal system, from replacing the British parliamentary system with a presidential system.

The only provision governing this in the Constitution refers to the monarchist nature of our political system: a reform decided upon by Québecers cannot remove the monarchy. However, we could readily conceive the coexistence of the Queen and her representative with a Premier enjoying, in practice, all the electoral elements and powers of a President who is the product of a presidential system.

Opting for a presidential system would be a major innovation in a system similar to the Canadian Federal system—but not in North America. The Quebec political system would, in fact, be the same as the American system.

No "picking and choosing"

One point must be clearly understood: when it comes to political systems, one cannot pick and choose aspects of this or that system, unless one is prepared to take substantial risks regarding the consistency of the system as a whole. For example, the election of a

Premier through direct universal suffrage goes hand in hand with a presidential regime.

The State of Israel, where for some years now the Prime Minister has been elected through universal suffrage, is precisely an example of a situation where an attempt was made to introduce certain characteristics of a presidential regime into a British parliamentary system, with obvious risks of inconsistency and dysfunction. It should be mentioned that this particular feature of the State of Israel, introduced in 1999, will be abolished in 2003.

France is another example of a political system—that of the Fifth Republic—where an attempt was made to combine the British and American systems. The result has not proven very convincing, and a serious debate is currently being waged regarding the reform of political institutions and their replacement with a regime that clearly reflects either the British or the American model.

A new distribution of responsibilities

Obviously, replacing the British parliamentary system with a presidential regime would entail a new distribution of responsibilities between the government and the National Assembly.

- We would quite probably observe a significant strengthening of the role played by MNAs and of the scope of their powers of control, with the powers of the Premier and his government being correspondingly reduced. The powers wielded by the Senate and the House of Representatives in the United States are an example of the changes that Québec might experience in this area.

- As was pointed out earlier, party discipline—which has become entrenched in the British parliamentary system—woud disappear under a presidential regime. In that regime, party discipline really serves no purpose, the President's party shares his general views, but there is no risk of the parliament overthrowing the government due to the strict separation of powers, the legitimacy underlying each one and the rules that result therefrom. MNAs would therefore have greater freedom of expression in their functions as parliamentarians and representatives of the people.

- Confrontations would not be limited to conflicts between the parliamentary majority and the minority. Disputes could also arise between parliament and the government, even if both institutions were controlled by the same political family.

  All presidential regimes provide specific procedures to be followed in case of disagreement between the President and the representative assemblies. The President generally has the last word, once all reconciliation mechanisms have been exhausted. The fundamental logic to be respected in a presidential regime

is that of the requirement for joint governance and for results, in keeping with the legitimacy conferred on both the chief executive and the representatives by the people.

Here again, Québec could develop an original presidential model with respect to conflict resolution mechanisms.

The real debate

The debate between a British-type parliamentary regime and a presidential regime in imitation of the American system essentially comes down to deciding what vision one has for the government, its powers and the controls to which it is subjected.

- In a British-type parliamentary system, the government always has the last word over the parliamentary minority. This system should be favoured if one wants a strong government, able to act quickly and to implement its priority policies in a short period of time.

- In a presidential regime such as that of the United States, the government is controlled by a parliament that can prolong its controls and objections if it deems it necessary. The government must therefore allow more time for implementing its policies. The gains achieved from the point of view of democratic action are thus counterbalanced on the issue of speed of government action.

The debate between a British-type parliamentary system versus an American-style presidential system thus comes down to deciding what we really want with respect to government authority and democratic behaviour. It also involves our conception of effectiveness. For some, that concept relates to speed of action, while for others, effectiveness means taking more time to fully debate the issues.

- People who favour a strong government will lean towards a system like the one we have now, because of the power it confers on the government elected by a majority.

- On the other hand, people who place greater importance on the real scope of action wielded by the representatives of the people will be inclined to choose a presidential regime.

2 – THE ELECTORAL SYSTEM

The electoral system that we wish to debate here is the one used to elect the members of the National Assembly, regardless of whether Québec keeps a system based on the British model or whether it replaces it with a presidential regime based on the American model.

The definition of the electoral system is strategically important to the smooth operation of a representative democracy. Indeed, it constitutes the "rules of the game" for the election of representatives, who express the will of the people. These rules bear a direct influence on the results of the voting process since they translate Québecers' votes into a given number of seats in the National Assembly. The electoral system is not merely a method used to count votes for the distribution of seats; it is also the mechanism that determines the direction or the meaning that we give to the concept of representation.

The goal

When we define an electoral system, the goal is to express the wishes of the people; it must reflect the votes of citizens.

In a British-type parliamentary system, the electoral system normally has a different objective: i.e. to form a majority government. Consequently it gives a bonus to the majority, so that the majority opinion may govern.

Current system: a single, majority ballot

Québec, like Canada as a whole, uses the single majority ballot system, direct from the British tradition. This type of system enables the population to elect its representatives. But the government resulting from such elections does not reflect all the trends that exist at the time of the vote—indeed, it is not intended to do so.

A majority ballot results in a majority government, which is desirable in a British-type parliamentary system. The difficulty lies in the risk of going too far with this bonus for the majority, and thereby infringing on the rights of the minority or minorities.

➡ In this system, representatives are elected individually in each constituency, by a simple majority vote. A single, majority ballot provides a direct link between the representative and his electors.

- A single, majority ballot effectively results in a majority government thanks to the bonus it confers on the party that comes first.

- In fact, the system mechanically groups the various trends and currents of opinion into two main parties which form the majority in power and the official opposition. In practice, this mechanical pressure does not prevent the appearance of three-party systems—as in Great Britain and in Québec—or even multiple parties, as is currently the case in the Canadian Parliament.

Certainly a single-ballot, majority electoral system allows stable, majority governments to be formed in a British-type parliamentary regime. However, it does so at the price of distorting the popular will. It is to this type of voting system that we must attribute the fact, mentioned earlier, that there has not been a minority government in Québec since 1867, and that on three occasions a party that received fewer votes than its main rival party was nevertheless able to form a majority government.

This bonus enjoyed by the party that comes in first is deemed excessive by many citizens.

- The single, majority ballot system leads to results, in terms of numbers of seats in parliament, that can exaggerate the real distribution of voters' preferences to the point of caricature. In an extreme case, we could imagine a situation where the majority party received 51% of the votes in each riding, and would therefore win every single seat in parliament, even though the opposition had received 49% of the popular vote.

- The single, majority ballot system prevents the fair representation in the National Assembly of political views that may be held by a fair number of people, albeit a minority, with the attendant risk that the ideas thus excluded from parliament might find voice through some other channel.

- In the case of Québec, it should be pointed out that the specific characteristics of the geographic distribution of votes among the various political parties are amplified by a single, majority ballot. A political party whose votes are concentrated in certain ridings is put at a disadvantage by a single, majority ballot, beyond a certain percentage of votes. A system that was proportional to some degree would help correct this situation.

Fully proportional representation

At the other extreme of the range of electoral systems we might consider fully proportional representation, which faithfully and completely reflects the distribution of votes. In this system, a political party that received, say, 23% of the popular vote would be allotted 23% of the seats in parliament.

- Fully proportional representation provides an accurate representation of all the political views existing in the society at the time of the election. From a democratic standpoint, it reflects the opinions of the people in all their complexity and diversity.

- However, if applied in a British-type system, it makes it more difficult to form a majority government; rather, it tends to produce coalition governments. Fully proportional representation encourages the creation of political parties that could be represented in parliament even with a very small share of the popular vote. In a presidential system, this drawback is of less consequence, because the government is appointed by the chief executive, who is directly elected by the people.

- Fully proportional representation has another consequence that is questioned by many people: it eliminates the direct link between the representative and his electors. Indeed, according to this system, people vote for a party rather than for an individual. Each party presents its candidates in order of preference on a national list, and it is that order, defined by the party, that determines who shall sit in parliament based on the popular vote.

Intermediate solutions

Very few democracies use either of these two systems in their pure form, without any amendments. The single-majority ballot system that we are familiar with is used only in Canada, India, the United Kingdom and the United States—in the latter case, for the election of congressmen to the House of Representatives. As for fully proportional representation, it is applied in its pure form in only two democracies, i.e. the State of Israel and the Netherlands.

In practice, democracies have devised a whole series of intermediate solutions, which may be divided into three categories.

- The first category comprises electoral systems based only on proportional lines but with some changes compared to a fully proportional approach. In some cases, the vote is taken at the regional rather than the national level, which means that the lists submitted to voters include only the candidates of a given region. It sometimes happens in such cases that voters are able to select the

candidates they prefer from the list presented by each party, which reduces the influence of the party organizations.

➨ The second category consists of democracies that use a majority ballot but with two rounds of voting instead of one. Only candidates who obtain an absolute majority of votes are elected in the first round. This system, used in France, reduces the distortions generated by a single, majority ballot and enables voters to adjust their choices according to the results of the first round.

➨ The third category consists of democracies that use both a majority ballot and a proportional ballot. This system, found for example in Germany and New Zealand, consists in allotting half the seats according to the majority ballot, with proportional representation being used for the other half. There are also variations on this mixed formula. For example, 40% of the seats in the Scottish Parliament are filled by a proportional system; in Italy, it is 20%. This system corrects the distortions of the majority ballot by guaranteeing minimum representation of minority views, subject to certain conditions—usually the requirement that a minimum percentage of votes be obtained at the national level.

> In practice, according to this system, voters vote twice at each election: once for their constituency representative, and once for a party. Only those parties that have obtained the required percentage of votes at the national level will be allotted seats according to the proportional vote. The parliament thus consists of two types of members: those elected in a given riding, and those drawn from the list presented by their party. The majority party still enjoys a certain bonus, but to a lesser degree than in the case of a single, majority ballot.

The electoral map

Depending on the electoral system chosen, the drawing of electoral boundaries may constitute a special challenge, with significant consequences on the democratic process.

➨ The question of defining constituency boundaries does not arise in a fully proportional electoral system. In that case, the process unfolds just as if the election were being held in a single riding, corresponding to the entire country.

➨ On the other hand, in a majority ballot system and in all cases where votes are counted within a riding, the drawing of riding boundaries has a direct influence on the results.

A demanding and complex process

On this issue, Québec took an important step in 1979 when it formed the *Commission de la représentation électorale*. Since then, the

setting of electoral boundaries has been handled independently of the government and according to a strictly defined process.

- Ridings must be defined according to certain very specific characteristics—of a demographic, geographic, sociological and numerical nature—identical for all and set out in the *Election Act*, to uphold the principle of proportional representation.

- Riding boundaries are reviewed regularly in order to reflect changes that have been observed in the distribution of the population.

A delicate issue

The most recent rearrangement of the electoral map—the fifth to date—was presented by the Commission in December 2001. It will take effect when the next general elections are held.

Many difficulties were encountered during this rearrangement, resulting from objections raised about the strict application of certain rules. With respect to demographics in particular, those rules would have resulted in reduced representation of regions whose population had fallen in relative or absolute terms, and the merging of some ridings into a new entity where the population had no real feeling of belonging.

The issue of electoral boundaries is extremely delicate. The demands of certain regions or certain segments of the population can be taken into account only at the expense of national equity, and thus of other regions or other citizens. This issue cannot be dissociated from a discussion on the electoral system and also ties in with the place of the regions in our current political system.

Choices with serious consequences

The choice of an electoral system, whichever it may be, has, as we can see, very important consequences on the democratic process. It creates a certain dynamic in the lives of political parties and bears a direct influence on the scope, if not the direction, of election results.

3 – THE PLACE OF THE REGIONS

Over the past twenty-five years, important efforts have been made in Québec to distribute power to the regions based on decentralized structures.

However, the question of the place of the regions in government is still open, based on the demands presented by regional populations—in particular in 1991-92, during the Bélanger-Campeau Commission, and in 1995 during the national and regional commissions on the future of Québec. In 1991, the *États généraux sur le monde rural* and the Forum on Decentralization clearly revealed the expectations of regional populations regarding the role they wish to play in the political system.

The debate that the government is hereby opening on power in the hands of the people is an opportunity to advance the discussion on the place of the regions by posing two basic questions:

- Can representation of the regions be institutionalized in our political system?

- Should we go even further and create truly regional powers?

Institutionalized representation of the regions

The system in which we live is highly centralized with respect to the powers wielded by the Québec government. The government's entire administration is built on an approach characterized by centralization. In some sectors, such as health care, structures have been set up to regionalize the government's decisions, but in general, the running of the government machine is concentrated in the centre.

This does not mean that the regions are entirely excluded from the central, decision-making process. The composition of the provincial cabinet is based in part on regional considerations: when choosing his ministers, the Québec Premier strives as far as possible to ensure a balanced representation of the regions within the cabinet. As a result, each region currently has its own "patron" minister in the cabinet.

A House of Regions

We could go much further in this direction. A House of Regions within the National Assembly could give the more remote and less populated regions a weight that they do not currently enjoy in our institutions. Such a house might consist of two elected representatives for each region. The seventeen regions of Québec would thus be present as such in Québec's parliament, in the form of a regional assembly consisting of 34 representatives.

Many of the world's democracies have a bicameral parliamentary system, where one of the two assemblies is elected on a territorial basis in order to reflect the interests of the regions. In Germany, Australia, the United States and Switzerland, this second house represents the states of a federation.

There is nothing to prevent the creation of a regional assembly in Québec, elected on a geographic rather than a demographic basis. We would then have to clearly define the powers of the new house in relation to the National Assembly and define procedures for reconciliation or resolution of disputes in case differing positions arose in the legislative process.

Truly regional powers

We might go still further and create truly regional authorities, democratically elected and with effective areas of jurisdiction that would no longer be handled by the central government.

- The creation of regional authorities in Québec would first require that we agree on the territory within which this new structure would operate. It would of course be up to the populations of the regions themselves to indicate their preference in this matter, but it is certain that the main criterion used would be that of a feeling of belonging. Should such regional authorities, if they were to be created, be established at the level of municipalities? boroughs? neighbourhoods? regional county municipalities? or the administrative regions as they are currently defined?

  Many spokesmen for rural areas—including the "Rural Solidarity" movement—have clearly opted for the regional municipality as a "planning territory and democratic forum for dialogue". Whatever territory is finally chosen, this is a basic issue that will determine everything that follows.

- Once the territorial framework is defined, we may imagine the creation of regional assemblies, elected by universal suffrage, with a certain number of powers—along with the financial resources to

exercise them. Here again, many different formulas might be considered.

- We might adopt a "blanket" reform, according to which all of Québec would be divided into regions, each of which would have identical powers.

- Alternatively, we might consider a more pragmatic approach, in which each of the new regional bodies would negotiate an agreement with the government to reflect its own needs. The scope of jurisdictions transferred and the resources allocated would vary from one regional body to another.

The place of the regions in our political system thus constitutes a major issue all on its own. The government wishes to open this issue to discussion in order to respond as openly as possible to a feeling of unease expressed persistently by regional populations, especially those in remote areas.

4 – THE FIRST NATIONS AND THE STATE OF QUÉBEC

Over the past twenty years much progress has been achieved in Québec in the establishment of harmonious relations with the First Nations—nations with which we share a common homeland.

On March 20, 1985, thanks to an initiative spearheaded by then Premier René Lévesque, the National Assembly adopted a motion formally recognizing ten native nations in Québec: the Abenaki, Algonquin, Attikamek, Cree, Huron, Micmac, Mohawk, Montagnais or Innu, Naskapi and the Inuit. Since then an eleventh nation, the Malecite, has also been recognized by the National Assembly.

Building a partnership

Discussions have been held with these First Nations to define their rights more specifically with a view to endowing them with the means and the authority to look after themselves.

In recent months, under the leadership of Premier Bernard Landry, major steps have been taken towards that end with the signing of the Peace of the Braves with the Cree, and of the Partnership Agreement with the Inuit. With these two nations, the Québec government has laid the foundation for future development, to the benefit of all the partners involved.

One weakness: participation in the governing of Québec

In the establishment and consolidation of these relations between Québec and the First Nations, one weakness remains: the first nations do not participate effectively in the governing of Québec. The great majority of native peoples still question what interest they would have in actively participating in the election of members to the National Assembly, even though they are fully entitled to do so.

The government feels that the time has come to offer the First Nations the possibility of effectively participating in the governing of Québec by formally proposing such participation along with the establishment of special institutions to meet their needs and specific circumstances.

The creation of such institutions needs to be explicitly discussed by the population as a whole. Many possibilities might be considered.

- Representatives of the eleven recognized first nations might sit in a second parliamentary assembly, for instance, one dedicated to regional representation.

- Another option might be to create a First Nations Council consisting of elected members from all the nations who would sit together with the other parliamentary assemblies.

- One might also consider having the first nations participate directly in the National Assembly itself through the creation of electoral ridings especially for those nations.

Such options are promising. They would all, if acted upon, have the effect of involving the first nations in the administration of Québec as a whole, which is not the case in practice, at present.

These options also raise many questions. They must interest the people most directly concerned, i.e. the First Nations themselves. They must be designed in accordance with the Nations' ways of doing things, while being consistent with our democratic rules and values.

The government's objective must nevertheless bring together all the people concerned. Whatever path may be chosen, it is time to create better conditions for dialogue, sharing and cohabitation between the province of Québec and the native peoples, and this debate that the government is launching gives us an opportunity to do that.

5 – ELEMENTS OF PARTICIPATORY DEMOCRACY

Like all modern democracies, Québec functions under a system of representative democracy. This means that citizens do not directly assume responsibility for the daily governing of the society. Instead, they elect officials to represent them for this purpose, and it is during election periods that key social issues are debated by the society.

Participatory democracy already well established

Some democracies have, however, introduced in their institutions certain elements of participatory democracy, of greater or lesser importance, or, processes whereby the citizens can directly express their preferences and choices, without intermediaries.

- For example, the United States and Switzerland accord power to popular initiatives. Citizens can file petitions in order to oblige, under certain conditions, the assembly and the government to make a decision relative to a particular issue or to consult the people through a referendum on a specific matter.

- In Canada, popular initiative legislation was adopted in Saskatchewan, in 1991, and in British Columbia, in 1995.

- In Québec, elements of participatory democracy are already well established in our institutions. At the municipal level, citizens may be invited to sign a register to indicate their opposition to a regulatory proposal adopted by their municipal council. If there is a sufficient number of signatures, the municipal authorities must hold a referendum in order to come to a decision regarding the contested issue.

- At the national level, the *Referendum Act* has rigorously defined the conditions for holding a referendum, whether it concerns initiating a referendum, financing the referendum campaign or organizing the various parties involved.

Other possibilities for direct consultation

Several possibilities exist for broadening the scope of direct consultation and according it a larger role in our democratic system.

- **Mandatory referendums** could be envisioned for certain well-defined, specific issues. This would mean that for the issues in question the National Assembly's approval would not be sufficient.

- Under the current provisions of the *Referendum Act*, referendums are exclusively government initiatives. The possibility of initiating a referendum could be increased, by permitting **parliamentary initiatives** or even **popular initiatives**, as is already the case in other democracies.

- Under the current system, a referendum cannot be held at the same time as a general election. This limitation introduced in the *Referendum Act* could be amended to allow **a referendum and general election to be held simultaneously, on a matter other than the national issue**.

- This last possibility raises many questions, because it presupposes the successful reconciliation of the rules governing referendum campaigns with the very strict conditions pertaining to how election campaigns must be conducted.

- In this respect, the main issue to be resolved concerns the role of the players in society, other than the political parties, during an election campaign:

  - Would it be desirable for the players in society to compete publicly with the parties' representatives?

  - If so, what type of financial guidelines and how much of a margin would be needed?

A possibility worth studying

The possibility of simultaneously holding a referendum and an election is nevertheless worth studying. Québec is currently merging the municipal and schoolboard election calendars, so that, in a few years elections at these two levels will be held simultaneously on a fixed date throughout the territory.

Such elections could be combined with a referendum on a matter of national interest. The issues dealt with would be of a different nature, preventing any confusion. Furthermore, holding the two democratic exercises simultaneously would reduce overall cost.

Necessary precautions

Participatory democracy is not supported by everyone, owing to the possibility of loss of control or diversion of the people's will.

- The power of popular initiative, in particular, raises questions. Some people fear that minority and extremist groups would use the tools of participatory democracy to challenge some of the important foundations of our social structure through the use of demagoguery. Participatory democracy is more sensitive to tactics of this nature than representative democracy if precautions and guidelines are not implemented.

- Another danger results from the devolution of power of elected representatives, who could in some way be by-passed by direct appeals to the population from the government or lobby groups.

  Countries that have instituted measures of participatory democracy have foreseen these difficulties and consequently introduced a certain number of rules. It is reasonable to assume that the level of popular support needed to trigger a referendum would vary according to the types of issues involved. Moreover, certain issues could be explicitly excluded from a popular initiative process. Tools exist therefore to avoid the slippage that is possible; however, these potential dangers must not be underestimated.

A citizens council

Aside from referendums, there is another way to introduce a little more participatory democracy into our political system, by offering all citizens a means to monitor the quality of our democratic process.

- This function is currently exercised by the Conseil consultatif of the Directeur général des élections, with, however, several limitations. The Conseil does not play this role of democracy watchdog on a permanent basis. Furthermore, it has access only to the parties represented in the National Assembly, and its deliberations are in camera.

- Similar to what exists in the United Kingdom, Québec could have a citizens council, composed of non-elected members appointed by the National Assembly, independent of the political parties and recognized for their contribution to democracy. The council could act as a democracy watchdog by holding regular consultation forums on our institutions and processes as well as on ways to improve them.

- Primarily, the citizens council would be mandated to listen to the people, their requests and their reactions with respect to the democratic process as they experience it.

6 – NEW EXPECTATIONS

The evolution of our society and its values, and the priority society now gives to certain collective behaviours give rise to new expectations with respect to democracy.

The government has identified five regularly emphasized points for which it would be possible to better take into account these expectations, through an adaptation of, or changes in, our electoral system.

Fixed dates for elections?

The first point concerns the election date. Under the British parliamentary system, the election date depends primarily on the members' confidence in the government.

- During its mandate, which in principle must never exceed five years, the government exercises its responsibilities for as long as it maintains a majority that supports it in parliament. If the government loses this majority before the end of its mandate, an election must be called, allowing the people to decide with respect to the conflict that has arisen between parliament and the government.

- In practice, in a system where the government has a solid majority, reinforced by party discipline, the calling of an election loses its original causality. It is no longer the result of a loss of confidence by the members. Choice of the election date becomes the privilege of the prime minister, who decides on the date in accordance with criteria usually related to electoral strategy.

- Reinforcing this phenomenon, British parliamentary custom practically imposes the calling of an election before the official end of the five-year term. Elections are therefore very rarely held at their normal time. The date is always decided by the prime minister. It is not, for example, rare for an election to be called two years before the end of the term, even if the government has solid support in parliament.

Choice of the election date has therefore become a privilege of the government, in a system where governments usually have a majority.

A concept of electoral competition

The debate surrounding the election date illustrates how electoral jousting is conceived. The fact that the prime minister determines the

election date represents a major strategic advantage for the government, but creates a climate that could be unhealthy as the end of an electoral term approaches.

This advantage could, moreover, turn against the government, which is subjected to considerable pressure to call an election, even if its mandate is not over and it still has the support of the majority in parliament.

Possible alternative

A requirement, however, to hold elections on a fixed date would have the advantage of eliminating all aspects of strategy from the choice of the election calendar since the time for going to the polls would be known in advance by both the constituents and the elected representatives.

- British Columbia recently adopted such a reform, but it must be pointed out that, under a British-style parliamentary system, the requirement to hold elections on a fixed date is possible only with a majority government. A procedure would have to be developed for cases where the government loses parliament's confidence during its mandate.

- Under a presidential political system, as in the United States, the holding of elections on a fixed date is inherent in the system. The legislature cannot remove the president from office, and the president does not have the authority to dissolve the legislature; both powers receive their authority directly from the people. The electoral mandates are therefore defined for a fixed period. Furthermore, in the case of the United States, nothing can change the length of the president's mandate. Should the president not be able to fulfil his or her mandate to term, the vice-president will do so in place of the president.

The limitation of electoral mandates

A second expectation often expressed concerns the number of electoral mandates given to the chief of state, and consequently the length of time the chief of state is in power.

- Under a British-style parliamentary system, there is no limit to the number of electoral mandates a prime minister can request from the people, despite the extent of the power held by the prime minister once elected to the head of a majority government.

- Under the presidential system, there are generally limits to the number of electoral mandates, even if the president is working with a legislature that has extensive powers of control. In the United States, for example, the American Constitution was

amended in order to limit the number of electoral mandates a president can be given to two.

Québec could also set a limit on the number of mandates a premier can ask from the people, whether the province retains a British-style parliamentary system or adopts a presidential system. Such a reform would be more logical in the first case than in the second since it would mean introducing a time limitation on powers that, as was seen, have gradually increased in scope.

Integrity of the voting process

A third expectation regularly brought up by the population concerns the integrity of the voting process.

This is a legitimate expectation. The conditions surrounding the electoral process must be defined in such a manner that only citizens with the right to vote can do so and that they vote solely in their own name.

Such a requirement, which seems normal, is fundamental. The integrity of the voting process is the primary condition underlying the confidence citizens have in the overall democratic process.

In reality, the electoral history of all democratic countries is dotted with incidents that have compromised this integrity: fraud exists and, under certain circumstances, it can change the very outcome of the popular vote. This is obviously very serious, since voting fraud constitutes a corruption and deprivation of a fundamental right of citizens.

The only way to proceed

To ensure that only citizens who have the right to vote do so, there is only one way to proceed:

- First, an exhaustive and reliable list of electors must be drawn up. This voters' list must identify all the electors entitled to vote, at a specified time and location.

- Once the voters' list has been drawn up, the authorities in charge of the electoral process must be able to verify the identify of the citizen who is voting in order to ensure that it is the person whose name is indicated on the list.

In recent years, Québec has substantially improved the integrity of the voting process with respect to both drawing up the voters' list and verifying the identity of the electors against the list.

- Québec now has a permanent voters' list, which has replaced the list that used to be based on the enumeration conducted at the same time as the election.

- The Government of Québec has also introduced mandatory voter identification at the time of the vote. Previously, electors were not obliged to prove their identity when voting.

Difficulties in practice

Can these reforms guard against all cases of fraud during the voting process? It must first be acknowledged that no voters' list is perfectly reliable. Neither Canada nor Québec has a citizenship registry.

- The voters' list can be improved through the use of information obtained from government agencies where citizens are registered, especially the registries of the Régie de l'assurance maladie, Régie des rentes and the Société de l'assurance automobile.

- However, this information—even when cross-checked—is not free of error or falsification. Moreover, it must be ensured that the confidentiality of personal information is protected.

- With respect to identification, many citizens are calling for the creation of a digital voter's card, which they see as being the only way to ensure the integrity of the voting process. Advocates of the card feel it would oblige people to prove their voter status before having their name listed on the electoral roll. Others oppose the card, feeling it would impose increased controls on individuals and thereby threaten fundamental rights.

A passionate issue

The public debate on the reform of our democratic institutions should also be a time to discuss this issue that raises so much passion.

Improving the integrity of our voting process is a priority for the government. Considerable progress has been made in this respect and it is now time to determine if it is possible to improve the electoral roll without imposing an overly severe control of voter identity, considering the improvements that are still possible, or if a digital voter's card is the only way to ensure that the permanent voters' list is completely reliable.

The right to vote at age sixteen: giving young people a voice

Québec, like all democracies, has evolved significantly with respect to granting the right to vote, or, defining which citizens can fully exercise their participation in governing society.

- In the nineteenth century, wealth-based criteria were used to determine which citizens had the right to vote. Consequently, during a certain period of our history, only landowners were entitled to vote.

- To this criterion of wealth was added a discrimination based on gender; it was not until 1940 that the right to vote was extended to women in Québec.

- The age criterion has also varied, with the minimum voting age periodically dropping. First set at 35 years of age, the voting age was later reduced to 25 years. In 1940, it dropped to 21 years and in 1963, 18 years.

Opposing arguments

- The question now being asked is whether or not the voting age should be lowered to 16 years. Some people are calling for it, and the Conseil permanent de la jeunesse has placed the subject on its agenda.

- Several arguments militate in favour of lowering the voting age. Young people aged 16 are already assuming many civic responsibilities: paying taxes, working, and holding a driver's license.

- In the political sphere, they can join a political party and therefore participate in defining its policies and selecting its leader. It could therefore appear strange that these same young people do not then have the right to elect government members.

- Those who oppose lowering the voting age present other arguments: sixteen-year-olds would not have the maturity needed to exercise this essential right. They are in the middle of a learning period in their lives and have many other priorities to focus on other than assuming the responsibilities of electors

A vision of the role of citizens

- The issue of the voting age obliges us to consider how we envision citizen participation and responsibilities in our democracy.

- To discuss the right to vote is to define who are full citizens, in their rights but also in their duties, with respect to governing society. To ask the question as to whether or not the voting age should be lowered is to ask if young people aged 16 now have the knowledge that since 1963 has been required of young people aged 18.

More women in politics

- In Québec, 21 years passed between the time when the right to vote was extended to women and the election of the first female member—Claire Kirkland-Casgrain.

- Since that first election, the role of women in politics has significantly increased. Today, a quarter of the Québec members are women. Women have important responsibilities within the cabinet as well as in the National Assembly.

- This year, for the first time, the speaker of the National Assembly is a woman, Louise Harel. In a traditionally male domain—that of the economy and finance—two women, Pauline Marois and Monique Jérôme-Forget, occupy respectively the positions of Minister of economy and finance, and finance critic for the official opposition.

Still insufficient representation, for many reasons

- Despite this progress, it cannot be considered that women have fully assumed the role they are entitled to in our democracy; proportionally, there are twice as many women in our society as there are in the National Assembly. The world of politics continues to be male-dominated, with women being underrepresented.

- There are many factors that explain this phenomenon. Socio-economic inequality of women and men remains a reality. The life of an elected member or someone with other political responsibilities brings with it demands that women have more

difficulty assuming than men do owing to the unequal sharing of family and household tasks. Also, and perhaps primarily, women often relate to political parties and power structures with mistrust and apprehension.

How to mobilize women on the political front?

- In a vigorous, healthy democracy, women should contribute fully to the debates and decision making, and more globally to the governing of society. It is a question of equality, but also a guarantee of increased richness in the reflections and discussions that define the nation's orientations.

- With respect to the objective of having more women in politics, a consensus should easily be reached. It is more difficult to define the means for achieving that objective.

- One of the obstacles probably originates with party culture, as well as with deeply rooted democratic practices. In some countries, coercive or strongly motivating rules were developed to force the parties to increase the role of women. The results have not been very convincing, but this approach deserves at least to be examined.

- Another point of reflection is related to the choice of voting system, and even the political system. It must be asked if there is a link between the current system and the role of women in politics. Would women be better off under a presidential system or under a system based on proportional representation, and under what conditions? Here again, it is a question worth asking

- A less radical approach would perhaps be to make certain amendments and accommodations with respect to the current democratic reality, in order for women to feel more comfortable in it and better prepared to defend within the system the values they believe in, in a framework of relations that is more aligned with who they are. Specific suggestions could be made to this effect.

Serious concerns

- The new expectations identified by the government with respect to democracy correspond, therefore, to some major concerns; our vision of electoral competition as it relates to how elections are called, the number of electoral mandates, protection of the voting process, and increasing the role of women and young people in the electoral process and politics demand the attention of all of us.

- It is the responsibility of all citizens to engage in a serious and thorough reflection on these issues, in order for our democracy to respond in the most satisfactory manner possible.

CONCLUSION
THE DEBATE IS OPEN

By initiating a public debate on our democratic institutions, the government has undertaken a major task involving both our electoral processes and our political system itself. It questions Québec's current national structure and seeks to encourage greater participation of the people in governing the society.

Ambitious objectives

The objectives are ambitious. Also, multiple topics are studied, but they cannot be separated from one another; many of the issues examined in this document are in fact interrelated, and to reflect on them requires a global vision. The choice of political system has an effect on the voting system to be adopted. The role of the various regions, the First Nations and women cannot be dealt with independently of the electoral processes and the institutions themselves.

That does not mean, however, that everything has to be done simultaneously. Steps can be defined and priorities determined.

By making the present document public, the government is in some sense laying the groundwork for the discussion to come, which the government would like to be as open and comprehensive as possible. The discussion must also be part of a clear and efficient process, in order to arrive at concrete, serious proposals within a reasonable timeframe.

A three-phase process

To achieve the above, the government has developed a three-phase process:

- First, during the summer and fall of 2002, the Minister for the reform of democratic institutions will tour Québec in order to stimulate reflection and initiate a public debate with the various representatives of the communities.

- During the same period, the Committee on Institutions, of the National Assembly, will conduct its own tour to hold consultations on the voting system and its impact on our political institutions.

- Early in 2003, summits will be organized around the theme of Québec democracy in the 21st century. This invitation to all citizens to participate in an Estates General, which will be the

natural outcome of the reflection occurring during the fall, will represent a major national consultation where all the topics related to the workings of our democratic institutions will be examined.

- The third step of the proposed process will ensue directly from the election calendar. Following the summit early next year, certain options will be defined and proposals formulated. The government as well as the political parties will then position themselves with respect to those options and proposals, and the next election will give voters the opportunity to make a decision on the proposals relating to the model of government they prefer.

In this matter that is fundamental to the future of our democracy, the government is fully assuming its leadership role. In the final analysis, however, it will be the people who decide. For the first time in Québec's history, the entire population will have the opportunity to participate in defining the model of democracy it wishes to have.

The floor is now open for discussion. It is up to the people to seize the opportunity and make it their own.